

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

JOHNTA Q. BARBER

PLAINTIFF

v.

4:08CV04115HLJ

T. SHOCK, et al.

DEFENDANTS

ORDER

This matter is before the Court on plaintiff's motion for default (DE #15).

By Order dated December 19, 2008, summons was issued to defendants Shock and Gramthom, and on January 14, 2009, summons was returned, executed (DE ##13, 14). As of this date, defendants have not filed an answer to plaintiff's original and amended complaints. Based on such, plaintiff now moves for the entry of default against defendants, pursuant to Fed.R.Civ.P. 55.

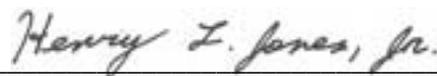
According to Fed.R.Civ.P. 55(a), entry of default is appropriate when a party fails to plead or otherwise defend, and that fact is made to appear by affidavit or otherwise. In light of plaintiff's motion, the Court will direct the entry of default against defendants Shock and Gramthom. The Court will also direct defendants to file a response, within fifteen days of the date of this Order, to plaintiff's request for the entry of a default judgment against them. Accordingly,

IT IS, THEREFORE, ORDERED that plaintiff's motion for the entry of default against defendants (DE #15) is hereby GRANTED. The Clerk of the Court is hereby directed to enter the party's default.

IT IS FURTHER ORDERED that defendants shall respond to plaintiff's request for the entry of a default judgment against them, within fifteen days of the date of this Order.

The Clerk of the Court is hereby directed to forward a copy of this Order to defendants.

IT IS SO ORDERED this 4th day of March, 2009.



United States Magistrate Judge

